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Remarks

Claims 44-72 are new claims in this application, claims 1-43 having been cancelled and claims 44-72 having been added by this amendment.

No new matter is added by the amendment, as support for claims 44-72 is found as follows (change of dependency alone is not commented on):

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New	Old	Comments
44	6	Formula no longer numbered as Ia, R ³ and R ⁴ limited as in paragraph [0077]
45	9	
46	15	
47	16	
48	22	Z corrected to N (from N-R ⁷)
49	23	Z corrected to N (from N-R ⁷)
50	24	Z corrected to N (from N-R ⁷)
51	27	
52	28	
53	29	
54	30	
55	31	
56	20	
57	33	
58	32	Definition of R ⁵ deleted because R ⁵ already is substituted phenyl in claim 44
59	34	
60	25	
61	34	
62	26	
63		New claim, from paragraph [0095]
64		New claim, from paragraph [0095]
65	36	Limited to listed compounds that are within scope of claim 44
66	37	Limited to compounds of claim 44
67	38	
68	39	
69	40	
70	41	
71	42	
72	43	Limited to compounds of claim 44

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The Restriction Requirement

The restriction requirement required restriction between six groups, of which Group I was "compounds of formula I". (including pharmaceutical compositions of claims 37-38) and Group IV was methods of treatment "using the Group I compounds".

Applicants elect for examination the invention of Group I, and new claims 44-65 are directed to that invention.

Applicants further elect the species where W = Y = O, X = CH₂, Z = CH, R¹ = R² = R³ = R⁴ = H, R¹³ = -CF₃ in the 3-position, and n = 0. This species is compound 16 in Table 1, and is named 2H-benzo[3,4-d]1,3-dioxolen-5-yl-N-({[3-(trifluoromethyl)phenyl]amino}carbonyl)-carboxamide in Table 12.

Applicants have further limited the new composition and method of use claims 66-72 in accordance with the compound election, so these claims include all the limitations of the elected compound claims. It is understood that these claims, of which 68-72 correspond to Group IV of the restriction requirement, will be held withdrawn from examination. However, because these composition and method of use claims include all the limitations of the compound claims and they are depended on the compound claims, they are entitled to rejoinder under the provisions of MPEP 821.04 if the compound claims are found allowable, and so they are presented at this time.

Conclusion

Entry of the amendment, examination and allowance of claims 44-67, and rejoinder and allowance of claims 68-72, are respectfully requested. Applicants reserve the right to file divisional and/or continuation applications to the subject matter canceled in response to the restriction requirement.

Information Disclosure

Applicants mailed an Information Disclosure Statement in this application on 4 December 2003, containing 5 sheets of Form PTO-1449 and listing a total of 88 documents. The Office is respectfully requested to consider the listed documents and return the Forms PTO-1449, duly initialed in accordance with MPEP 609, with the next Office Action issuing on this application. It is noted that copies of "asterisked," non-

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patent references were provided in the parent case(USSN 10/106,881, filed 25 March 2002).

If the Examiner believes that a conversation with the undersigned attorney would aid in advancing the prosecution of this case, the Examiner is requested to call the undersigned at (650) 843-5104.

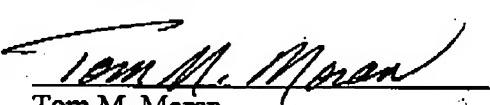
Dated: October 8, 2004

Respectfully submitted,

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